

REMARKS

Applicant has carefully reviewed the Application in light of the Office Action transmitted July 10, 2008 (“*Office Action*”). Claims 1-3, 5-12, 14-20, 22, 23, 25-31 and 33-37 are pending in the Application, and the Examiner rejects all pending claims. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

I. Rejections under 35 U.S.C. § 102(e)

The Examiner rejects Claims 1-3, 5-12, 14-20, 22, 23, and 25-31 under 35 U.S.C. § 102(e) as anticipated by U.S. Publication No. 2002/0069278, now U.S. Patent No. 6,954,790 issued to Forsl w (“*Forsl w*”). Applicant respectfully traverses this rejection and submits that *Forsl w* does not describe, expressly or inherently, each and every limitation of the claims.

Consider Applicant’s independent Claim 1, which recites:

A system for distributing packets for communication to a mobile unit comprising:

a mobile unit having a device identifier and an internet protocol (IP) address comprising a first subnet identifier, the mobile unit roaming in a foreign network having a second subnet identifier;

a mobility manager operable to determine a multicast address for the mobile unit based on the device identifier, to receive multicast address requests that include the device identifier, and to communicate the multicast address responsive to the multicast address requests;

a foreign agent in the foreign network, the foreign agent operable to detect the mobile unit, to determine the device identifier for the mobile unit, to communicate a request including the device identifier to the mobility manager, to receive the multicast address from the mobility manager, and to register for a multicast group identified by the multicast address; and

a home agent operable to receive IP packets addressed to the mobile unit, to determine the multicast address associated with the mobile unit, to encapsulate the IP packets as payloads for multicast packets addressed to the multicast address, and to communicate the multicast packets for receipt by devices registered for the multicast group using a packet network.

Upon inspection, it is clear that *Forsl w*, while mentioning the use of multicasting, actually teaches away from the claimed invention.

Forsl w does disclose the use of multicasting for two purposes. One use of multicasting described by *Forsl w* is for a mobile device to broadcast a solicitation for service to all of the foreign agents in some area. *Forsl w* at ¶ 32 (“The mobile client may also broadcast or multicast an advertisement solicitation that will be answered by any foreign

agent that receives it.”). The other use described by *Forsl w* is for a conference session for a “workgroup” of mobile clients. *Forsl w* at ¶ 95 (“*In the case of a workgroup conference session*, the MSRs 10 will forward packets destined to one of the workgroups 26 as if all of the workgroup members shall receive the packets. This is performed using a groupcast (also called xcast) or multicast protocol.” (emphasis added)).

However, while *Forsl w* uses many of the same terms used in Applicant’s claims, *Forsl w* actually teaches away from the claimed invention. Consider *Forsl w* at ¶ 137, which states: “The mobile client 20 sends a router solicitation message when entering the foreign network in order to discover a foreign agent 31. . . . The mobile client 20 may receive multiple router advertisements and selects one of them to send a registration request to.” *Forsl w* thus teaches that the mobile client discovers potential foreign agents and selects one of these foreign agents. There is no teaching (or even suggestion) of having foreign agents register for multicast groups associated with a mobile unit.

Contrast the teachings of *Forsl w* with the requirements of Claim 1, such as: “the foreign agent operable to detect the mobile unit, . . . and to register for a multicast group identified by the multicast address.” *Forsl w* fails to disclose these elements.

Moreover, *Forsl w* does not teach a “multicast address associated with the mobile unit,” as required by Claim 1, let alone “a home agent operable to receive IP packets addressed to the mobile unit, to determine the multicast address associated with the mobile unit, to encapsulate the IP packets as payloads for multicast packets addressed to the multicast address, and to communicate the multicast packets for receipt by devices registered for the multicast group using a packet network.” Applicant has examined the portions of *Forsl w* cited by the *Office Action* with respect to these elements, and while many of these cited portions use selected words from the claim, none of these portions of *Forsl w* teach the claimed operations.

For example, consider the requirement for “encapsulat[ing] the IP packets as payloads for multicast packets addressed to the multicast address.” The *Office Action* cites to a portion of *Forsl w* that does in fact discuss an encapsulation technique for tunneling packets from a home agent to a foreign agent. However, this portion of *Forsl w* is describing a prior art technique (described as prior art even to *Forsl w*) used to tunnel packets from *a* home agent to *a* foreign agent. Nothing in this section or any other portion of *Forsl w* teaches (or even

suggests) “encapsulat[ing] the IP packets as payloads for multicast packets addressed to the multicast address.”

For at least these reasons, *Forsl w* does not describe, expressly or inherently, each and every limitation required by Claim 1. Independent Claims 6, 14, 22, and 25 include limitations that, for substantially similar reasons, are not taught by *Forsl w*. Because *Forsl w* does not disclose, expressly or inherently, all limitations of independent Claims 1, 6, 14, 22, and 25, Applicant respectfully requests reconsideration and allowance of Claims 1, 6, 14, 22, and 25 and their respective dependent claims.

II. Rejections under 35 U.S.C.   103(a)

The Examiner rejects Claims 33-37 under 35 U.S.C.   103(a) as unpatentable over *Forsl w* in view of U.S. Patent No. 6,070,075 issued to Kim (“*Kim*”).

As described above, Applicant has shown that *Forsl w* fails to disclose all limitations of independent Claim 25. Accordingly, *Forsl w* fails to teach or suggest all limitations of Claims 33-37 because these dependent claims incorporate the limitations of their respective independent claims. *Kim* fails to remedy the deficiencies of *Forsl w*.

Thus, *Forsl w* and *Kim*, whether taken alone or in combination, fail to teach or suggest all limitations of Claims 33-37. Because the references fail to teach all limitations of the claims, Applicant respectfully requests reconsideration and allowance of Claims 33-37.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of this Application.

If the Examiner feels prosecution of the present Application may be advanced by a telephone conference, Applicant invites the Examiner to contact the undersigned attorney at (214) 953-6584.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant

A handwritten signature in black ink, appearing to read 'K-P', followed by a horizontal line.

Kurt M. Pankratz
Reg. No. 46,977

Date: October 10, 2008

Customer No. **05073**